



**COMMUNITY DEVELOPMENT DEPARTMENT**

# **ACCESSORY DWELLING UNIT ORDINANCE**

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Planning Commission Hearing September 7, 2017

# Purpose of Hearing

- Receive Public Comment
- Review Proposed ADU Ordinance Provisions
- Make Recommendations to City Council

# Staff Presentation

- Overall Objectives
- Background and Intent of State Legislation
- Guiding Policies
- Proposed Ordinance Provisions
- Recommendation

## City's Overall Objectives

- Adopt an Accessory Dwelling Unit (ADU) Ordinance in compliance with state ADU law
- Expand opportunities to create small rental units that provide an array of lifestyle options
- Promote high quality designs that are compatible with the surrounding neighborhood

# Background

- SB 1069 and AB 2299
  - Amended Government Code 65852.2
- Nullified and voided City's ordinances
- In effect until City adopts an ADU ordinance

# Intent of State Legislation

- Address California's housing needs
- Maximize and integrate housing choices within existing neighborhoods
- Address barriers to the development of ADUs
- Ensure local ordinances do not unreasonably restrict the ability to create ADUs

# Summary of State Amendments

- Minimal regulations for ADUs within existing space
  - Fees
- Parking requirements

## Background - Existing and Pending ADUs

- Under former provisions (SDU and ADU)
  - Approximately 34 units
- Since January 2017
  - Over 170 ADU applications



# Initial Public Outreach

- ADU Webpage and notification list
- LDT Bulletin
- Allied Neighborhood Association
- American Institute of Architects (AIA)

# Initial Review - Design Guidelines

- Single-Family Design Board
- Historic Landmarks Commission

# ADU Ordinance Guiding Policies

- General Plan Vision
  - *Allow as much housing as possible within resource limits to provide an array of lifestyle options for a demographically and economically diverse resident population*

# 2015 Housing Element Direction

- Policy H15 - Secondary Dwelling Units
  - *Further encouraging second units (granny units) in single family zones shall be pursued with neighborhood input to gauge the level of support, but prohibited in the High Fire Hazard Zones to the extent allowed by State laws applicable to second units. Second units may be most appropriate within a short walking distance from a main transit corridor and bus stop.*

# 2015 Housing Element Direction

- H15.1 – Implementation Action:
  - ✓ *Consider unit size range of 300 – 700 sq. ft.*
  - ✓ *Include secondary unit square footage in FAR*
  - ✓ *Eliminate attached unit requirement*
  - ✓ *Eliminate affordability requirement*

# 2015 Housing Element Direction

- H15.1 – Implementation Action (cont.)
  - ✓ *Allow tandem parking and ease other regulations*
  - ✓ *Review meter requirements*
  - *Develop guidelines and prototypes of innovative design solutions (FUTURE WORK EFFORT)*

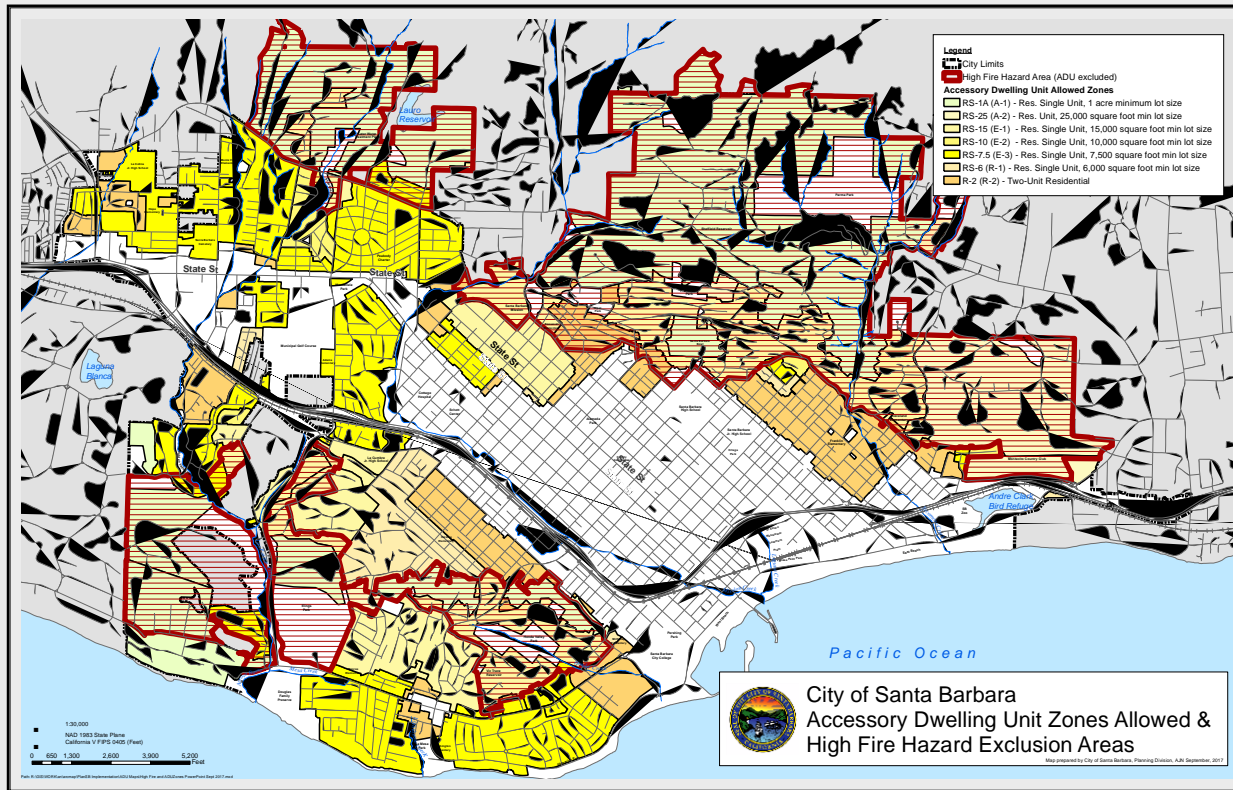
# Proposed ADU Ordinance - Types

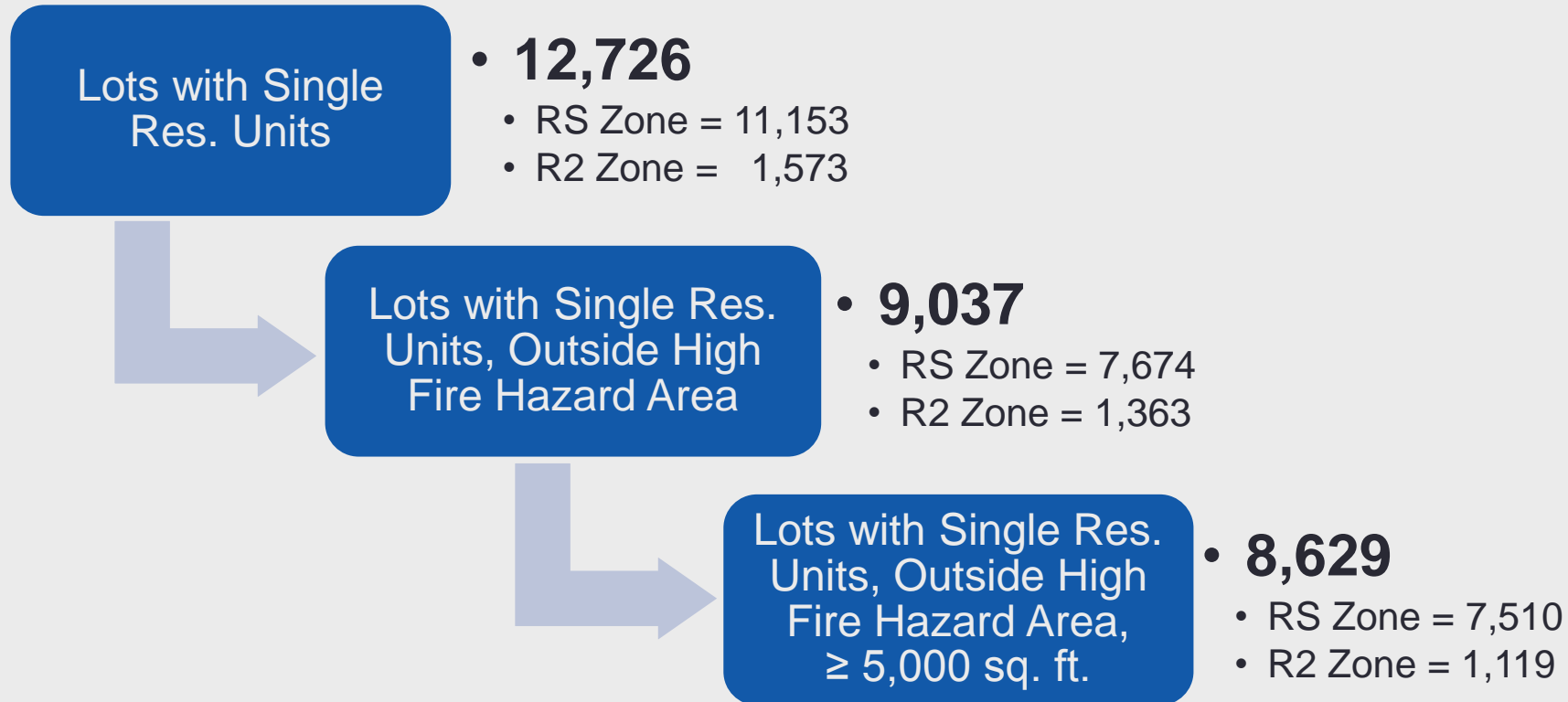
- Configuration and Location
  - Incorporated within a primary unit or accessory building;
  - Attached to primary unit or accessory building; or
  - Detached
    - *Not allowed in front yard unless located in existing building converted to ADU*

# Proposed ADU Ordinance - Criteria

- Allowed Zones
  - *Single (RS) and Two-Unit (R2)*
- Impact on Traffic Flow and Public Safety
  - *Prohibit in High Fire Hazard Areas*
- Minimum Lot Size
  - *5,000 sq. ft.*







## Proposed ADU Ordinance – Size

- Minimum Size
  - 150 sq. ft. studio
  - 400 sq. ft. for all others
- Maximum Size
  - 600 sq. ft.
  - *If attached, 600 sq. ft. or 50% of the existing primary unit for attached, whichever is smaller*

# Proposed ADU Ordinance - Height

- Attached
  - Not exceed height/stories of primary unit
- Detached
  - Not exceed height/stories of primary unit or 25 feet, whichever is less
  - Above a detached garage → May exceed height/stories of primary unit if not in front yard and not more than two stories and 25 feet

# Proposed ADU Ordinance - Setbacks

- All ADUs
  - Comply with rules applicable to residential structures
- *Special Rules - Garage Conversions*
  - Setbacks not required except for fire safety purposes
- *Special Rules - Above a Garage*
  - Five-foot setback from interior lot line applicable to second story

## Proposed ADU Ordinance - Parking

- One space required per ADU or bedroom
  - Covered Parking must comply with setback standards
  - Uncovered Parking
    - *Allowed in interior setback with planting area*
    - *Prohibited in front setback*
    - *Prohibited in front yard unless screened from view*
- Conversion or demolition of covered parking for primary unit must be replaced (un/covered, tandem, or mech. lift)

## Proposed ADU Ordinance – Parking Exceptions

- Public transit stop within 0.5 mile
- Architecturally and historically significant district
- Incorporated within a primary unit or accessory building
- On-street parking permits required but not offered
- Carshare vehicle within 500 feet

# Proposed ADU Ordinance – Other Items

- Administrative Design Review
  - Staff level review with standards incorporated into Single Family Design Board (SFDB) General Design Guidelines
- Historic Resources Protection
  - Urban Historian review if primary unit is designated:
    - *National Register*
    - *California Register*
    - *City landmark or structure of merit*
    - *City historic or landmark district*



# Proposed ADU Ordinance – Other Items

- Occupancy and Renting
  - Owner-occupied and cannot rent or lease both primary and ADU simultaneously
  - Cannot sell ADU separate from primary unit
  - Cannot rent primary unit or ADU for less than 31 consecutive days
- Water Meters
  - Amendments to Chapter 14.08 to be considered by City Council
  - Waives separate water meter requirement except for new detached ADU or new primary unit and ADU

## Effect on Pending Applications

- Effective date of ordinance
  - Estimated Nov/Dec 2017
- City standards would apply to building permits issued after effective date

## Next Steps – Fall 2017

- Single Family Design Board review of amendments to SFDB General Design Guidelines
- City Council Ordinance Committee Review
- City Council Ordinance Introduction and Adoption
- Submittal to State Department of Housing and Community Development
- Submittal to Coastal Commission for certification

## Recommendation

- Planning Commission initiate an amendment to the Zoning Ordinance to adopt an Accessory Dwelling Unit Ordinance in accordance with the requirements of Senate Bill 1069 (SB 1069) and Assembly Bill 2299 (AB 2299)
- Forward a recommendation to the City Council for adoption

